

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIENT OVERSEAS CONTAINER LINE
LIMITED and OOCL (USA) INC.,

1:07-cv-8595-SAS

Plaintiff(s),

-against-

AFFIDAVIT FOR JUDGMENT
BY DEFAULT

STRONG INTERNATIONAL TRADING
CO., STRONG AMERICA LIMITED and
STRONG AMERICA LTD.

Defendant(s).

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

JORGE A. RODRIGUEZ, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am associated with the firm of MAHONEY & KEANE, LLP, attorneys for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil Rules for the Southern District of New York, in support of plaintiff's application for the entry of a default judgment against defendants STRONG INTERNATIONAL TRADING CO., STRONG AMERICA LIMITED and STRONG AMERICA LTD.

3. Herewith attached are true copies of the following:

- (1). Summons and Complaint;
- (2). Affidavit of Service;
- (3). Statement of damages;

(4). Clerk's certificate; and

(5). Proposed order

4. This is an action to recover \$9,875.00.00 owed by defendants to plaintiff for unpaid freight. (Ex. 1).

5. Jurisdiction of the subject matter is based on 28 USC § 1333 and admiralty/maritime jurisdiction. (Id.).

6. This action was commenced on or about October 3, 2007 by the filing of the summons and complaint. (Id.). A copy of the summons and complaint was served on defendants on October 16, 2007 by personal service on Quan Yang, authorized by appointment or law to receive service of process, at the defendants' place of business. Proof of service by the Special Process Server was filed. (Ex. 2). The defendants have not answered the complaint and the time for the defendants to answer the complaint has expired.

7. This action seeks judgment for the liquidated amount of \$9,875.00.00, plus costs, fees and disbursements, for a total of \$10,514.85, as shown in the annexed statement of damages, which is justly due and owing, and no part of which has been paid. (Ex. 1, 3).

8. The defendants are not infants or incompetent.

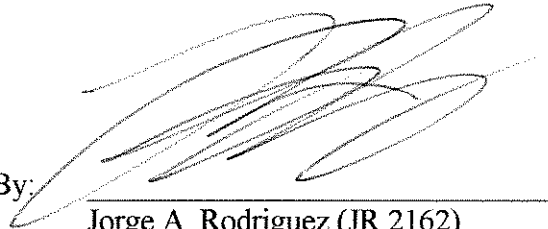
9. No part of the judgment sought has been paid by defendants, although duly demanded.

10. The disbursements sought to be taxed have been made in this action or will necessarily be made herein.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendants.

Dated: New York, New York

January 28, 2008

By: 
Jorge A. Rodriguez (JR 2162)

Sworn to before me this

28 day of January, 2008


Notary Public

GARTH S. WOLFSON
NOTARY PUBLIC
State of New York No. 02403075041
Qualified in New York County
Term Expires 4/23/2011

Exhibit 1

JUDGE SCHEINDLIN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIENT OVERSEAS CONTAINER LINE
LIMITED and OOCL (USA) INC.,

Plaintiff(s),

-against-

STRONG INTERNATIONAL TRADING
CO., STRONG AMERICA LIMITED and
STRONG AMERICA LTD.

Defendant(s).

SUMMONS IN A CIVIL ACTION

Case No. 07 CV

07 CIV 8595

TO: (name and address of defendants)

STRONG INTERNATIONAL TRADING
CO.
1177 Flushing Avenue
Brooklyn, NY 11237

STRONG AMERICA LIMITED
1177 Flushing Avenue
Brooklyn, NY 11237

STRONG AMERICA LTD
2-39 54th Avenue
Long Island City, NY 11101

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY
(name and address)

MAHONEY & KEANE, LLP
111 Broadway, 10th Floor
New York, NY 10003
(212) 385-1422

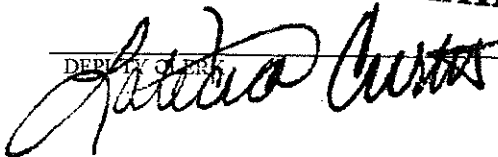
an answer to the complaint which is served on you with this summons, within **twenty (20)** days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

OCT 03 2007

J. MICHAEL McMAHON

DATE

DEPUTY CLERK



JUDGE SCHEINDLIN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

07 CIV 8595

ORIENT OVERSEAS CONTAINER LINE
LIMITED and OOCL (USA) INC.,

Plaintiff(s),

-against-

STRONG INTERNATIONAL TRADING
CO., STRONG AMERICA LIMITED and
STRONG AMERICA LTD.

Defendant(s).

07 CV _____

COMPLAINT

PLEASE TAKE NOTICE that Plaintiff(s), ORIENT OVERSEAS CONTAINER LINE and OOCL (USA) INC., (collectively "OOCL"), by their attorneys, MAHONEY & KEANE, LLP, as and for a Complaint against Defendant(s), STRONG INTERNATIONAL TRADING CO., STRONG AMERICA LIMITED and STRONG AMERICA LTD., (collectively "STRONG COMPANIES"), allege, upon information and belief, as follows:

1. This is a case of admiralty and maritime jurisdiction within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure. Jurisdiction is based upon 28 U.S.C. § 1333, as well as the Court's pendent, supplementary and ancillary jurisdiction.
2. Plaintiff ORIENT OVERSEAS CONTAINER LINE is a legal entity duly organized and existing pursuant to the laws of a foreign country.
3. Plaintiff OOCL (USA) INC. is a legal entity duly organized and existing pursuant to the laws of the United States.

4. Defendant STRONG INTERNATIONAL TRADING CO. is a business entity organized and existing pursuant to the laws of the United States with offices and a place of business located at 1177 Flushing Avenue, Brooklyn, NY 11237.

5. Defendant STRONG AMERICA LIMITED is a business entity organized and existing pursuant to the laws of the United States with offices and a place of business located at 1177 Flushing Avenue, Brooklyn, NY 11237.

6. Defendant STRONG AMERICA LTD. is a business entity organized and existing pursuant to the laws of the United States with offices and a place of business located at 2-39 54th Avenue, Long Island City, NY 11101.

7. The United States District Court for the Southern District of New York is the proper venue for this action, as Plaintiff OOCL resides and/or maintains a principal place of business in the Southern District of New York.

8. Plaintiffs sue on their own behalf and as agents and trustees on behalf of any other party who may now have or hereinafter acquire an interest in this action.

AS AND FOR A FIRST CAUSE OF ACTION AGAINST THE STRONG COMPANIES

9. Plaintiff repeats and reiterates each and every allegation contained in paragraphs "1" through "8" as if specifically set forth herein at length.

10. At all times relevant herein, Defendant STRONG COMPANIES entered into agreements, service contracts, contracts of affreightment, charter agreements and/or bills of lading, with Plaintiff for the carriage, storage, handling, care and/or maintenance of Defendant's cargoes by Plaintiff in consideration for payments by Defendant to Plaintiff for said services.

11. Plaintiff duly performed all duties and obligations required to be performed by Plaintiff in connection with Defendant's goods.

12. Defendant wrongfully, willfully, negligently and/or fraudulently breached the terms of the subject agreement(s) by, *inter alia*, failing to pay freight, dead freight, demurrage, detention, port fees, tariffs and other associated costs.

13. As a result of Defendant's breach of the subject agreements and Plaintiff has incurred, and will continue to incur, costs and expenses for which Defendant is liable under the terms of the agreements and at law.

14. Plaintiff has placed Defendant on notice of its claim that Defendant has breached the subject agreements and violated Plaintiff's rights under the law.

15. Despite Plaintiff's repeated demands, Defendant has failed to pay the Plaintiff's damages due and owing under the agreements and at law.

16. By reason of the foregoing, Plaintiff has sustained damages in the amount of \$9,875.00, together with interest, costs, fees, and expenses.

AS AND FOR A SECOND CAUSE OF ACTION AGAINST THE STRONG COMPANIES

17. Plaintiff repeats and reiterates each and every allegation contained in paragraphs "1" through "16" as if specifically set forth herein at length.

18. Defendant has an account stated with the Plaintiff.

19. By reason of the foregoing, Plaintiff has sustained damages in the amount of \$9,875.00, together with interest, costs, fees, and expenses.

AS AND FOR A THIRD CAUSE OF ACTION AGAINST THE STRONG COMPANIES

20. Plaintiff repeat and reiterate each and every allegation contained in paragraphs "1" through "19" as if specifically set forth herein at length.

21. Plaintiff is due from Defendant the quantum meruit of Plaintiff's services.

WHEREFORE, Plaintiff prays:

(A). that judgment be entered in favor of Plaintiff for an amount exceeding **nine thousand eight hundred seventy-five dollars** \$9,875.00, plus interest, fees, including attorneys' fees, costs, and disbursements;

(B). that Court process be issued against the Defendant; and

(C). that Plaintiff be granted such other and further relief as the Court may deem just and proper.

Dated: New York, New York

September 28, 2007

MAHONEY & KEANE, LLP
Attorneys for Plaintiffs
ORIENT OVERSEAS CONTAINER LINE
LIMITED and OOCL (USA) INC.

By: 

Jorge A. Rodriguez (JR 2162)
111 Broadway, Tenth Floor
New York, New York 10006
Tel (212) 385-1422
Fax (212) 385-1605
Our File No. 12/3477

SERVICE LIST

STRONG INTERNATIONAL TRADING
CO.
1177 Flushing Avenue
Brooklyn, NY 11237

STRONG AMERICA LIMITED
1177 Flushing Avenue
Brooklyn, NY 11237

STRONG AMERICA LTD
2-39 54th Avenue
Long Island City, NY 11101

Exhibit 2



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, COMPLAINT**
 EFFECTED (1) BY ME: **OUT OF STATE**
 TITLE: **PROCESS SERVER** *Curtis Warner*

DATE: *10-16-07*

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:**STRONG AMERICA, LTD.** - *Quan Yang (authorized agent)*

Place where served:

239 54th Avenue, Long Island City, NY 11101

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: *Authorized agent*

Description of person accepting service:

SEX: *M* AGE: *40* HEIGHT: *5'8* WEIGHT: *180* SKIN: *yellow* HAIR: *black* OTHER: *glasses*

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: *10/16/2007*

C. Warner L.S. License no. *870667*
 SIGNATURE OF OUT OF STATE
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

ATTORNEY: **JORGE A. RODRIGUEZ, ESQ.**
 PLAINTIFF: **ORIENT OVERSEAS CONTAINER LINE LIMITED, ET AL**
 DEFENDANT: **STRONG INTERNATIONAL TRADING CO., ET AL**
 VENUE: **SOUTHERN DISTRICT OF NEW YORK**
 DOCKET: **07 CIV 8595**

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, COMPLAINT**
 EFFECTED (1) BY ME: **OUT OF STATE** *Curtis-Lanna*
 TITLE: **PROCESS SERVER**

DATE: *10-16-07*

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:**STRONG AMERICA LIMITED** - *Quah Yang (authorized agent)*

Place where served:

239 54th Avenue, Long Island City, NY 11101☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:Relationship to defendant: *Authorized agent*

Description of person accepting service:

SEX: *M* AGE: *40* HEIGHT: *5'8* WEIGHT: *180* SKIN: *yellow* HAIR: *black* OTHER: *glasses*☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: *10/16/2007*

C. Wynn LS. License No. 870667
 SIGNATURE OF OUT OF STATE
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

ATTORNEY: JORGE A. RODRIGUEZ, ESQ.
 PLAINTIFF: ORIENT OVERSEAS CONTAINER LINE LIMITED, ET AL
 DEFENDANT: STRONG INTERNATIONAL TRADING CO., ET AL
 VENUE: SOUTHERN DISTRICT OF NEW YORK
 DOCKET: 07 CIV 8595

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, COMPLAINT**
 EFFECTED (1) BY ME: **OUT OF STATE** *Curtis Luma*
 TITLE: **PROCESS SERVER**

DATE: 10-16-07

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

STRONG INTERNATIONAL TRADING CO. - Quan Yang (authorized agent)

Place where served:

2-39 54th Avenue Long Island City, NY 11101

[] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: *Authorized agent*

Description of person accepting service:

SEX: *M* AGE: *40* HEIGHT: *5'8* WEIGHT: *180* SKIN: *yellow* HAIR: *black* OTHER: *glasses*

[X] To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 10/16/2007

C. Luma L.S. Luma No. 870667
 SIGNATURE OF OUT OF STATE
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

ATTORNEY: JORGE A. RODRIGUEZ, ESQ.
 PLAINTIFF: ORIENT OVERSEAS CONTAINER LINE LIMITED, ET AL
 DEFENDANT: STRONG INTERNATIONAL TRADING CO., ET AL
 VENUE: SOUTHERN DISTRICT OF NEW YORK
 DOCKET: 07 CIV 8595

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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Exhibit 3

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIENT OVERSEAS CONTAINER LINE
LIMITED and OOCL (USA) INC.,

Plaintiff(s),

-against-

STRONG INTERNATIONAL TRADING
CO., STRONG AMERICA LIMITED and
STRONG AMERICA LTD.

Defendant(s).

1:07-cv-8595-SAS

STATEMENT OF DAMAGES

Principal amount	\$9,875.00
Costs and Disbursements:	
Clerk's filing fee.....	\$350.00
Process server fee for service on STRONG AMERICA LTD.....	\$79.95
Process server fee for service on STRONG AMERICA LIMITED.....	\$104.95
Process server fee for service on STRONG INTERNATIONAL TRADING CO.....	\$104.95
Total.....	\$10,514.85



We take it personally

STATEMENT

Payment Due Upon receipt of this Statement

Important Notice: Lock Box Address

Please Remit To: OOCL (USA) Inc
ABN-AMRO Bank
4782 Payscale Circle
Chicago IL 60674

January 16, 2007

Strong International Trading Company

Attn: A/P Department

1177 Flushing Avenue

Brooklyn, NY 11237

718-628-6200 ext 122

Phone

718-628-3822

Fax

Strong International Trading Company	3802384558	26-Jul-06	\$9,875.00
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Total \$9,875.00

1/19/07
[Signature]

Exhibit 4

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIENT OVERSEAS CONTAINER LINE
LIMITED and OOCL (USA) INC.,

Plaintiff(s),

-against-

STRONG INTERNATIONAL TRADING
CO., STRONG AMERICA LIMITED and
STRONG AMERICA LTD.

Defendant(s).

1:07-cv-8595-SAS

CLERK'S CERTIFICATE

I, J. MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on October 3, 2007 with the filing of a summons and complaint, a copy of the summons and complaint was served on defendants STRONG INTERNATIONAL TRADING CO., STRONG AMERICA LIMITED and STRONG AMERICA LTD., by personally serving Quan Yang, authorized by appointment or law to receive service of process, at defendants' place of business, and proof of such service thereof was filed on October 29, 2007.

I further certify that the docket entries indicate that the defendants have not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendants is hereby noted.

Dated: New York, New York

January 22, 2008

J. MICHAEL MCMAHON
Clerk of the Court

By: 

Deputy Clerk

Exhibit 5

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIENT OVERSEAS CONTAINER LINE
LIMITED and OOCL (USA) INC.,

Plaintiff(s),

-against-

STRONG INTERNATIONAL TRADING
CO., STRONG AMERICA LIMITED and
STRONG AMERICA LTD.

Defendant(s).

1:07-cv-8595-SAS

DEFAULT JUDGMENT

This action having been commenced on October 3, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served on the defendants, STRONG INTERNATIONAL TRADING CO., STRONG AMERICA LIMITED and STRONG AMERICA LTD. on October 16, 2007, by serving said documents on Quan Yang, authorized by appointment or law to receive service of process, at defendants' place of business, and a proof of service having been filed on October 29, 2007 and the defendants not having answered the Complaint, and the time for answering the Complaint having expired, it is

ORDERED, ADJUDGED AND DECREED: That the plaintiff have a judgment against defendants in the liquidated amount of 9,875.00, plus costs and disbursements of this action in the amount of \$639.85, amounting in all to \$10,514.85.

Dated: New York, New York

January _____, 2008

U.S.D.J.